

**Federal Defenders
OF NEW YORK, INC.**

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Southern District of New York
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3/23/23

March 23, 2023

BY ECF & E-MAIL

The Honorable Vincent Briccetti
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

**APPLICATION GRANTED
SO ORDERED:**

[Signature]
Vincent L. Briccetti, U.S.D.J.

Dated: 3/23/23

White Plains, NY

*Conference adjourned to 4/4/23
at 10:30 a.m. Time excluded under
Speedy Trial Act in the
interest of justice for the
reasons set forth herein.*

Re: *United States v. Yanis Vivar-Castro*, 23-cr-35 (VB)

Dear Judge Briccetti:

I am writing to request that the Court adjourn Mr. Vivar-Castro's March 27, 2023 appearance to April 4, 2023 at 10:30 a.m.

By way of background, Mr. Vivar-Castro was arrested on December 15, 2022 pursuant to a Complaint. On February 2, 2023, Mr. Vivar-Castro pleaded not guilty to a one-count Indictment alleging one count of Illegal Reentry, in violation of 8 U.S.C. § 1326. Mr. Vivar-Castro is currently scheduled to appear before the Court for a status conference on March 27, 2023. The parties are very close to finalizing a guilty plea. Thus, I request that the Court move the status conference to April 4, 2023 at 10:30 a.m. On that day, Mr. Vivar-Castro intends to accept responsibility via *Pimentel* letter.

Assistant United States Attorney Qais Ghafary has no objection to this requested adjournment. Shortly, AUSA Ghafary will file a motion (and proposed order) to exclude time under the Speedy Trial Act until April 4, 2023. Defense counsel has no objection to that forthcoming motion.

Sincerely,

[Signature]

Rachel S. Martin
Assistant Federal Defender

cc: Qais Ghafary, AUSA